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SUMMONS

Doc. No. 600037

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA
575 S. 10th Street - 3rd Floor
SEPARATE JUVENILE COURT-4th Floor
Lincoln NE 68508

Jennifer Stover v. Evangelical Lutheran Good Sam. Soc.

Case ID: CI 20 472

TO: Evangelical Lutheran Good Samaritan
DBA: Good Samaritan Society--St. John's

You have been sued by the following plaintiff(s):

Jennifer Stover

Plaintiff's Attorney: Patrick M Driver
Address: 8033 S 15th St Ste A
Lincoln, NE 68512-2807

Telephone: (402) 421-8033

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: JULY 22, 2020

BY THE COURT:

Tracy L. Clark
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Evangelical Lutheran Good Samaritan
Society; c/o CT Corp System
5601 S. 59th Street
Lincoln, NE 68516

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

JENNIFER STOVER as Special)	Case No. CI-20-_____
Administrator for the Estate of Victor)	
Stover,)	
Plaintiff,)	COMPLAINT
vs.)	
THE EVANGELICAL LUTHERAN)	
GOOD SAMARITAN SOCIETY, d/b/a)	
GOOD SAMARITAN SOCIETY—ST.)	
JOHN'S,)	
Defendant.)	

COMES NOW Plaintiff and alleges:

1. Parties

- A. Plaintiff is a resident of Lincoln, Lancaster County, Nebraska, and is the duly appointed Special Administrator of the Estate of Victor Stover.
- B. Defendant is a Non-Profit Foreign Corporation that does business in the State of Nebraska under the trade name Good Samaritan Society—St. John's (hereinafter "St. John's").

2. The incidents giving rise to the cause of action occurred at a nursing home located at 3410 Central Avenue, Kearney, Buffalo County, Nebraska. Venue is appropriate in this Court pursuant to *Neb. Rev. Stat. § 25-403.01(4)*

3. On or about February 2, 2018, Victor Stover fell at his residence where he suffered injuries including a fracture of his right hip. On or about February 3, 2018,

Victor Stover later underwent surgery at Kearney Regional Medical Center to repair the injuries he suffered in his left hip.

4. On or about February 12, 2018, Victor Stover was discharged from the Kearney Regional Medical Center to a nursing home operated by Defendant for continued care.

5. At all relevant times herein, Defendant owned and operated a nursing home at 3410 Central Avenue, Kearney, Nebraska.

6. That at all times relevant, the Defendant employed various medical providers, nurses, and medical staff, at its nursing home located at 3410 Central Avenue, Kearney, Nebraska.

7. The aforementioned medical providers, nurses, and/or medical staff failed to follow the applicable standard of medical care during their care and treatment of the Victor Stover, deceased, which proximately resulted in a physical injury to the late Victor Stover and/or proximately caused his death.

8. The actions of Defendant that proximately caused the physical injury and/or death of Victor Stover occurred between February 12, 2018 and February 24, 2018.

9. The standard of care applicable to Defendant for the medical care and treatment it provided to Victor Stover, deceased, while he was a patient at Defendant's nursing home included, but was not limited to: 1) to dispense medication as prescribed by Victor Stover's treating physicians or medical providers; 2) Prompt notification of Victor Stover's involuntary discharge; 3) to prevent, care and observe skin breakdown and observation of wounds.

10. That the Defendant, by and through its nurses, employees, and medical staff, breached the standard of applicable medical care owed to Roger Denver by: 1) failing to dispense medication as prescribed by Victor Stover's treating physicians or medical providers; 2) failure to notice necessary parties of Victor Stover's involuntary discharge; and 3) failure to prevent, care and observe skin breakdown and observe wounds on his body.

11. As a direct and proximate result of Defendant's negligence and failure to meet the standard of care, Victor Stover suffered personal injuries and/or death.

12. Neither Victor Stover nor the Plaintiff herein assumed the risk of Victor Stover's injuries or death.

13. As a direct and proximate result of Defendant's negligence and failure to meet the standard of care, Victor Stover

WHEREFORE, Plaintiff prays for judgment against defendant for damages allowed by law, costs of this action and whatever other relief this Court deem just.

Jennifer Stover, Plaintiff

BY: /s/ Patrick M. Driver
NSBA # 23154
LAPIN LAW OFFICES
Attorneys for Plaintiff
8033 South 15th St., Suite A
Lincoln, NE 68512
(402) 421-8033
pdriver@lapinlawoffices.com

PRAECIPE

TO CLERK OF SAID COURT:

Please issue summons to defendant:

**The Evangelical Lutheran Good Samaritan Society
d/b/a Good Samaritan Society—St. John's
c/o C T Corporation System
5601 S. 59th Street
Lincoln, NE 68516**

Service will be made by certified mail.

**/s/ Patrick M. Driver
Attorney for Plaintiff**